Clayton Art Commission

Public Art Plan for the City of Clayton



Clayton Art Commission
2002

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introduction

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BACKGROUND

Established in 1877, Clayton is a thriving community directly west of the City of St. Louis. Its convenient location, 14,000 residents, 2,000 business and professional firms, nationally recognized public school system, and governmental and educational institutions combine to make Clayton a regional hub and the second-largest commercial center in the St. Louis metropolitan area. Clayton's business district is home to seventy Forbes and Fortune 500 headquarters and branch offices. It is the seat for county government and home to Washington University and Fontbonne College. Over 30,000 people commute to jobs in Clayton from around the region. Clayton boasts many upscale neighborhoods with a mix of single-family homes, condominiums, and multiple-family apartments, most within walking distance of business district offices, restaurants, galleries, and specialty boutiques and shops.

Clayton is also emerging as a regional center for the culinary, visual, and performing arts. It is home to a wide array of award-winning restaurants, the Clayton Farmers' Market, and the annual Taste of Clayton. The City has a diverse collection of art galleries and a well-attended monthly Gallery Night. Thousands of people throughout the region enjoy events such as the Saint Louis Art Fair and the St. Louis Jazz Festival, which bring nationally recognized artists to Clayton.

In the mid-1990s, the City of Clayton leadership realized that incorporating quality public art into the community in a broad and inclusive way would significantly enhance the City's unique character. By supporting and promoting public art, the City of Clayton can help connect neighborhoods, businesses, the government, and schools, generating an energy that brings broad benefits to the community. Quality public art can enhance Clayton visually by creating regional and national landmarks, promoting the artistic involvement of residents and businesses, and encouraging other artistic expression within the community. Public art creates educational opportunities to learn and to understand the art within the community, the region, and beyond.

To achieve this vision, community leaders worked together to establish the Clayton Art Commission (CAC) in 1998. The CAC, working in close partnership with the City of Clayton, has successfully completed several important projects – including the Traffic Control Unit Painting Project; the installation of works on loan, most recently "Five Rudders" by Alexander Calder, loaned by Washington University; and collaborations with Arts in Transit, the Saint Louis Art Fair, and the Clayton Landscape Committee – to create temporary works

of art. In addition, the CAC has spearheaded a consortium of St. Louis-area public art organizations in the development of a regional Public Art Brochure.

The Clayton Art Commission is now poised to expand its role as a cultural leader in the community by implementing new public art projects, educating the community about public art, and encouraging and assisting private developers in the commissioning of public artworks.

ABOUT THIS PLAN

This Public Art Master Plan for the City of Clayton (Master Plan) is intended to provide a framework and general guidance for accomplishing these objectives. The Master Plan includes an Administrative Plan with updated policies regarding the selection, funding, and maintenance of public art projects in the City; a five-year Municipal Arts Plan (MAP), which identifies priority public art projects and artist involvement opportunities for the City; and a Community Education Program that highlights opportunities to engage the community in the public art program.

The Administrative Plan builds upon the policies that the City of Clayton and the CAC have already put into practice. A review of public art programs from across the country provided ideas for additional policies and practices that have been incorporated here. The Administrative Plan provides guidelines for implementing the Municipal Arts Plan.

The Municipal Arts Plan and the Community Education Program were developed in consultation with City staff, existing and potential collaborative partners, and members of the Clayton Art Commission and the CAC Advisory Council. For the MAP, planned capital projects were studied, and the geographic distribution of existing and future artworks was considered. The Community Education Program builds upon current City, CAC and community initiatives.

The CAC wishes to thank the following individuals whose input was invaluable in developing this plan:

CAC Advisory Council

Porter Arneill, Regional Arts Commission
Dave Bertorelli, Enterprise Rent-A-Car
Ted Christner, Christner, Inc.
Sally Cohn, Clayton Landscape Committee
Anne Gagen, Midwest Bank Center
Joan Gallagher, Anheuser-Busch
Kitty Hoblitzelle, Clayton Landscape Committee
Helen Kornblum, Psychotherapist
Judith Levy, Bryant Group Incorporated
Judy Metzger, Knoll, Inc.
Anne Murphy, St. Louis Artists' Guild
David Schlafly, Schlafly Corporation
Austin Tao, Austin Tao & Associates
Peter Tao, Tao + Lee Associates
Patience Taylor, Locus Gallery

Clayton Art Commission

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Jane Birdsall-Lander, Artist
Barbara Decker, Arts Professional
Robin Murez, Artist
John Porter, Architectural Review Board Representative
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Ellen Gale, Saint Louis Art Fair
David Krauss, Clayton Recreation Sports Wellness
Commission

Cynthia Prost, Saint Louis Art Fair Don Senti, Clayton School District Beverly Wagner, Ward I Alderman

Consultant Team

Emily Blumenfeld and Meridith McKinley, Via Partnership, LLP



administrative plan

THE CLAYTON ART COMMISSION

In 1998, the Clayton Art Commission (CAC) was created as a commission of the Clayton Board of Aldermen and designated as a non-profit corporation by the Internal Revenue Service and the State of Missouri. The Clayton Art Commission's goal is to help ensure that public art will become an integral part of the City's future development and to enhance Clayton's public spaces with high-caliber art in order to promote cultural, civic, aesthetic, and economic vitality. To achieve this goal, the Clayton Art Commission:

- Identifies public art opportunities within the City of Clayton
- Defines policies and guidelines for acquiring and commissioning public art
- Guides private developers and corporations through the process of selecting art for public spaces in their facilities
- Makes recommendations to the Architectural Review Board regarding specific artworks proposed for new corporate construction
- Works cooperatively with other art groups throughout the St. Louis region to develop outreach and educational programs and collaborative public art opportunities

The CAC has nine members who serve three-year terms and are appointed by an affirmative vote of a majority of the members of the Board of Aldermen for the City of Clayton. The composition of the Commission is required by the bylaws to include:

- Three Commissioners who are from the professions of architecture, landscape architecture, urban planning, arts administration, or art history
- Three Commissioners who are citizens of the City of Clayton, one from each ward.
- Two Commissioners who are professional artists
- One Commissioner who is a member of the Clayton Plan Commission/Architectural Review Board

Two members of the Clayton Board of Aldermen also sit on the CAC in an ex officio capacity.

Advisory Council

The Clayton Art Commission is assisted by the Clayton Art Commission Advisory Council. The role of the Advisory Council is to serve as a resource to the CAC for matters including, but not limited to:

- Planning, selecting, and implementing public art projects
- Developing public education programs and materials
- Acting as a liaison with potential project partners and funders
- Serving as advocates for the Clayton Art Commission and the City's public art program

Advisory Council members are welcome and encouraged to attend monthly meetings of the Commission, and at least one meeting a year is planned as a joint meeting of the CAC and the Advisory Council.

Committees

In addition to monthly meetings, the Clayton Art Commission may establish committees to focus on specific issues. These committees may include members of the CAC and Advisory Council, as well as other community individuals and arts professionals. Specific committees may include:

- A Municipal Art Plan Committee/Site Selection committee to recommend project sites for the coming fiscal year
- Ad hoc Artist Selection Panels to review and recommend artists for specific projects and to review gifts and loans
- Ad hoc Fundraising Committees may be formed to oversee the raising of public and private funds for specific projects
- Project-specific committees to assist in the development of projects or programs

Staffing

The City of Clayton currently provides a staff liaison to the Clayton Art Commission. This liaison:

- Coordinates Clayton Art Commission meetings, including preparing meeting minutes and notices
- Serves as a point person between the Clayton Art Commission and City Staff
- Assists with mailings, special meetings, and special events
- Pays bills
- Assists with grant administration
- Distributes press releases
- Coordinates with the City Parks and Recreation
 Department and Public Works Department regarding
 the installation, removal, relocation, decommission, and
 maintenance of artworks
- Maintains records for the CAC

In order to attain the CAC's stated objectives such as commissioning public artwork, community education projects, and fundraising, the ongoing assistance of paid consultants – supervised by city staff – may be needed to help with specific program activities such as:

- Preparing fundraising proposals and other written materials
- Researching potential funders and project partners
- Developing project scopes, budgets, timelines, and contracts
- Managing artist selection
- Developing and presenting education programs
- Planning and staffing events
- Coordinating the work of volunteers

PUBLIC ART IN PUBLIC SPACES

What Is Public Art? by Jane Birdsall-Lander

During the 18th and 19th centuries and in the first half of the 20th century, the predominant form of public art in the United States and Europe portrayed heroes on pedestals. These castbronze or carved-stone figures dotted park landscapes or loomed high above the heads of visitors in and around courthouses and other government buildings. The mural has been another form of public art common in America during the past several centuries. These tableaux depict historical events or illustrate ancient myths and are often located in national, state, or local government facilities such as post offices, state capitols, and public schools. The scenes are produced in fresco, carved in stone, cast in ceramics, or fashioned with mosaic tiles.

In the late 20th century, public art evolved to incorporate new forms and themes. The Vietnam War Memorial in Washington, D.C., is an example of a powerfully evocative minimalist monument. Maya Lin designed the memorial, taking into consideration the social context in which the war took place, the loss of individual lives to the larger community as well as to their families, the location of the site, the materials to be used, and the large and diverse audience to be served.

The work is a polished black granite wall that descends into the earth. Each half of the wall is almost two hundred and fifty feet long. Each segment is made of seventy panels. At their intersection, the highest point, they are ten feet high and taper to a height of eight inches at their extremities. The wall contains 58,175 names. The largest panels have 137 lines of names; the smallest panels have but one line. There are five names on each line. The names (and other words) on the wall are half an inch high and are carved into the stone at a depth that can be deciphered with the fingertips.

Visiting this monument may be a profound experience for the viewer. As one descends the path along the black wall, one wing points straight at the tall, white Washington Monument a mile west and the other at the Lincoln Memorial, visible through a screen of trees about 600 feet away. In making this descent, a person feels as though he or she is entering a cloistered space that is set off from the noisy urban surroundings. Streets and skylines disappear, leaving the visitor free from outside distractions. At close range, the names dominate. Starting with the name of the first soldier to die, the names continue to the right in columns in chronological order of the date of death. (The list is continuous until the wall emerges from the earth.) Once past

the midpoint, one begins to ascend from the meditative space created by the sculpture to emerge again into the world of noise and light.

In commenting on her design process, Lin said: "... This memorial is for those who have died, and for us to remember. It was while I was at the site that I designed it. I just sort of visualized it. It just popped into my head. Some people were playing Frisbee. It was a beautiful park. I didn't want to destroy a living park. You use the landscape. You don't fight with it. You absorb the landscape ... When I looked at the site, I just knew I wanted something horizontal that took you in, that made you feel safe within the park, yet at the same time reminding you of the dead. So I just imagined opening up the earth ... I thought about what death is, what a loss is. A sharp pain that lessens with time, but can never quite heal over. A scar. The idea occurred to me there on the site. Take a knife and cut open the earth, and with time the grass would heal it. As if you cut open the rock and polished it. I wanted the names in chronological order, because to honor the living as well as the dead, it had to be a sequence in time."¹

The Vietnam War Memorial exemplifies the best of what contemporary public art has to offer. It has internal qualities that allow it to engage the viewer in ways that may cause surprise, raise questions, express feelings, engage the intellect, elevate the soul, or help to describe and identify an experience.

¹Campbell, Robert, "An Emotive Place Apart," A.I.A. Journal, May 1983, pp. 150

The Clayton Art Commission's Public Art Philosophy

The Clayton Art Commission's approach to public art is to enhance the community with the highest quality art that:

- Is sensitive to community history, assets, issues, and aspirations
- Is community- and site-oriented, with internal qualities that allow the work to unify, surprise, question, express, engage, elevate, describe, and identify a place
- Develops in an open, informed atmosphere, in order that expectations and goals are clear and shared
- Articulates and extends the values and vision of the community and is designed for a diverse audience
- Allows for artistic creativity and innovation with the added resources of community input, local character, and materials

Selection of an Artist or Artwork

These guidelines are designed to assist in the process of selecting artists for public art commissions within the City of Clayton. They ensure appropriate use of public funds and give serious consideration to a variety of artists capable of working on the projects. The selected artist or artist team will be awarded a cash honoraria, which may be applied toward design fees, fabrication, installation, transportation, materials, and other related expenses.

Artist Selection Panel

The Clayton Art Commission generally will appoint a selection panel for the selection of artist(s) and/or artwork(s) for the identified project. This panel will review qualifications and specific proposals and conduct interviews with artists. A different selection panel can be convened for each project. Selection panels may include:

- Clayton Art Commission and Advisory Council members
- · Community stakeholders
- St. Louis area arts professionals

Meetings of selection panels should be posted and open to the public.

Eligibility Requirements

The most important decision in the public art process is selecting an artist or artist team appropriate for a given project. Artist selection must take into account the goal of the project, the community served, the site, and, where appropriate, the goals of the other members of the site design team. Artist selection procedures encompass the following criteria:

- Artists will be considered eligible regardless of race, color, creed, national origin, gender, or age. Local and/or national artists will be given an opportunity to submit qualifications and/or proposals.
- Artists will be selected based on their qualifications as demonstrated by such factors as their past work, the appropriateness of the proposal submitted, and the probability of its completion.
- 3. Artworks done under the supervision of instructors or to satisfy course requirements, artworks by the design architect, artwork by City of Clayton employees, and works by members of the Clayton Art Commission are excluded from consideration.

The Clayton Art Commission may establish additional eligibility requirements as appropriate.

Methods for Selecting Artists

Solicitation of artists may be accomplished by utilizing a variety of national and regional resources including:

- Accessing mailing lists or e-mail lists from such resources as Arts in Transit, Art St. Louis, Critical Mass, Regional Arts Commission, the St. Louis Artists' Guild, and other public artist files
- Posting on public art e-mail lists such as:
 Pub-art@yahoogroups.com (national)
 criticalmass@egroups.com (local)
 blacklines@egroups.com (national)
 AFTAPUBART-l@artswire.org (national)
 Vanessa.Mallory@phoenix.gov (national)
- Posting on the City of Clayton Web site
- Publishing notices in the St. Louis Post Dispatch, the St. Louis Countian, and/or other local, regional, or national publications

In the interest of achieving the most equitable process possible, an Open Competition process will be used for most projects, unless it is determined that time or the specialized nature of the project necessitates a Limited Competition or Direct Selection. Current City of Clayton purchasing requirements dictate that if the project budget is greater than \$10,000, Open Competition must be used to select the artist/artist team. If the budget is less than \$10,000 a Limited Competition may be used. Direct Selection may only be used if the budget for the project is below \$3,000 and if the need for this type of selection can be documented.

The Clayton Art Commission should notify the City of Clayton Finance Department prior to initiating an artist selection process and should send copies to that department of all correspondence and support materials that are sent in reference to the selection process.

Open Competition

In an Open Competition, any artist may submit his/her qualifications or proposal, subject to any requirements established by the CAC. The Requests for Qualifications or Requests for Proposals should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open Competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.

Limited Competition

In a Limited Competition, or invitational, several preselected artists are invited by the CAC to submit their qualifications and proposals. This method may be appropriate when there is a limited time frame or if the project requirements are so specialized that only a limited number of already identified artists would be appropriate.

Direct Selection

On occasion, artists may be chosen directly by the CAC. Direct selection may be useful on projects where there is an urgent timeline, low budget, or very specific project requirements.

Requests for Qualifications and Requests for Proposals

Artists may be selected based on their general qualifications or based on specific proposals. A Request for Qualifications (RFQ) may request that the artist submit some or all of following:

- · A letter of intent
- A résumé
- An annotated slide list
- Professional references
- · Slides of past work
- · Relevant reviews and press releases

Additional information may be requested for particular projects. In a Request for Qualifications process, the panel selects an artist based on his/her previous work. As a result of this review process, the panel may select one artist for the commission, or several artists may be invited to submit proposals upon which the final selection will be based.

Requests for Proposals can be sent to finalists selected after review of their qualifications, or it can be sent as an open call or to artists who have been hand-selected as part of a Limited Competition. Selected artists may be paid a proposal fee, which can vary based on the size of the project.

Final proposals may include any of the items listed above for the RFQ, plus:

- Drawings and/or models of the proposed artwork within the context of the site
- Material or media samples
- Narrative description
- Budget
- Timeline
- Letters of recommendation

A proper selection and notification period will be utilized for each project. Artists should be advised that the CAC reserves the right not to select any of the artists who submit RFQs or RFPs if, in the opinion of the selection panel, none of the submissions are deemed satisfactory.

Criteria for Selecting Artists

An Artist Selection Panel may use the following criteria to evaluate qualifications and proposals:

1. Ability:

- The design capabilities of the artist(s)
- The quality of their previous work
- Demonstrated ability to complete a project of similar style, scale, and budget

2. Style:

- Unless limited in specific Requests for Qualifications or Requests for Proposals, all forms of art should be considered
- Artworks should be appropriate for the site, including scale, material, form, and content for the immediate social and physical environments

3. Site requirements:

- Consideration should be given to structural and surface integrity, permanence (if applicable), and protection of the artwork against theft, vandalism, weathering, and excessive maintenance and repair costs
- Proposals should be examined for unsafe conditions or factors that may bear on public safety and potential liability

4. Diversity:

- Consideration should be given to artists of all backgrounds and races
- Works of art throughout the City of Clayton should include a diversity of style, scale, and media

Agreement With the Selected Artist

The recommendation of the Artist Selection Panel will go to the Clayton Art Commission, which will make a final recommendation to the City. A contract or letter of agreement should then be sent from the City to the artist. This letter or contract may include, as appropriate, such factors as:

- A detailed scope of services and/or the artist's proposal, including budget and timeline
- Execution of the artwork, delivered and installed
- Conditions for final acceptance
- Ownership of documents and models
- · Compensation and payment schedule
- Warranties
- Reproduction and copyright issues
- Maintenance, repairs, restoration, and/or alteration of the artwork and/or site
- Insurance
- Termination

A sample letter of agreement is located in Appendix B.

Loans and Gifts of Public Artworks From Outside Sources

The City of Clayton has been fortunate to be the recipient of many works of art as gifts and loans. As with the acquisition of any new artwork, the Clayton Art Commission shall make recommendations regarding the acceptance and utilization of these gifts and loans. The Parks and Recreation Department or the Public Works Department will also need to give their approval, depending on who is responsible for the site where the artwork will be located. To assist in the review of these works, an ad hoc committee may be convened to review the gift. When reviewing potential gifts and loans, the CAC should consider whether:

- An appropriate site is identified that fits within the existing Municipal Arts Plan
- The work contributes to the diversity of the City's public art collection and artistic standards are upheld
- The work in question can legally be loaned or given to the City by the donor/lender.

- (documentation should be kept on file with the CAC staff liaison)
- The financial costs connected with accepting
 the gift are known, including, but not limited to, shipping,
 shipping insurance, site preparation, installation, proper
 signage, insurance, and
 maintenance
- Appropriate recognition for donors and lenders of artworks to the City is provided
- Maintenance requirements are communicated, utilizing the Maintenance Worksheet, to the Parks and Recreation Department or Public Works Department (depending on site)

Maintenance of Public Artworks

Public art is a community investment and must be properly maintained. Regular maintenance should be undertaken to preserve artworks in the best possible condition. Works of art owned by the City shall be regularly cleaned and/or otherwise maintained by either the Parks and Recreation Department or the Public Works Department, in a manner appropriate to the medium and characteristics of the artwork, and in accordance with the Visual Artists Rights Act of 1990. To assist in this maintenance, information on each work of art leased, loaned, or owned outright by the City beginning in 2002 shall be kept on file with the Clayton Art Commission and the City department responsible for maintenance on a Maintenance Worksheet. It is the responsibility of the artist and the CAC to ensure that the Maintenance Worksheet is accurate. A sample Maintenance Worksheet is located in Appendix C. Works of art on loan should be maintained in accordance with the requirements of and in collaboration with the lender.

Deaccession of Public Artworks

Deaccessioning is a procedure for the withdrawal of an artwork from a public collection. The Clayton Art Commission has the right to recommend the removal or alteration of any site-specific installation that has been commissioned, gifted, leased, or loaned to Clayton if there are safety concerns, significant changes to the site, or in a situation in which the work has been damaged beyond repair.

The Clayton Art Commission should consider deaccessioning only after careful evaluation. Should the Clayton Art Commission determine deaccession of an artwork is appropriate, a report should be prepared stating the reason(s) for the deaccessioning of the artwork. A recommendation should go to the City for approval. Should the deaccessioning of the artwork be approved, every effort will be made to notify the artist, donor, or lender. The Clayton Art Commission should then consider:

- Relocating the work to another place
- · Returning works that have been loaned
- Destruction of artwork damaged beyond repair and deemed to be of negligible value
- Sale of the artwork
 - The artist will be given first option to purchase the work or exchange it for another artwork of comparable value, which will become part of Clayton's permanent public art collection
 - The sale must be in compliance with City laws regarding surplus property
 - No works shall be sold to City of Clayton staff or Clayton Art Commission members
 - Proceeds from the sale shall be used for the commissioning of public art

PRIVATE ART ON PUBLICLY ACCESSIBLE PROPERTY

Often works of "public" art in a community are really privately acquired artworks that are located on private property but accessible to the public. Such artworks may include artist-designed open spaces in front of a building, specific artist-created architectural elements or lighting designs, or a sculpture or fountain placed to mark the entrance to a building or to create visual interest.

Since 1999, the City of Clayton has required that some larger-scale projects have a public art component. This has most often been the case for Planned Unit Developments (PUDs). When a developer is required by the Architectural Review Board (ARB) or Board of Aldermen to incorporate public art, he is instructed to meet with the Clayton Art Commission. The Clayton Art Commission is responsible for making a recommendation (positive or negative) to the ARB indicating whether they believe the developer's selection of art meets the quality standards for Clayton. Ultimately, the ARB approves the artwork, and the staff ensures that it is installed according to the stipulations of the ARB.

In order to assist developers in the selection of artists and artwork of the highest quality and that meets the mission of the City, it is recommended that developers be instructed that:

- The artwork should be accessible to the public seven days a week
- A representative from the development organization should meet with the Clayton Art Commission for consultation prior to selecting an artist or artwork for the project
- The Clayton Art Commission will make a recommendation to the Architectural Review Board regarding the selected art piece(s)

In addition, the Clayton Art Commission should develop an informational brochure to provide clear information regarding the public art approval process. This brochure should outline:

- Information about the CAC
- The positive benefits of public art
- What constitutes public art, including site-specific sculptures, artist design collaborations, artist-designed functional objects, community projects, etc.
- An outline of the approval process and the evaluation criteria
- Public art resources
- Contact information for the CAC

FUNDING

Effective program funding is crucial to establishing a successful, ongoing public art program in the City of Clayton. In its first few years, the CAC has been very fortunate to acquire artwork through temporary loans. In the future, the CAC should not rely solely on further loans and should commission and/or purchase new art in order to build its public art collection. Effective implementation of the Municipal Arts Plan and the Community Education Program will necessarily involve incurring certain expenses. Costs related to implementing the Municipal Art Plan include the cost of purchasing and/or commissioning artwork, administrative costs related to fundraising, implementing the artist selection process, coordinating with artists, ensuring proper installation, public relations, signage, etc. The costs of the Community Education Program include the costs of developing educational materials, arranging for presentations and seminars, developing promotional materials, and documentation of programs.

Existing Funding Sources

The Clayton Art Commission currently funds the public art program with three primary funding sources. These funding sources enable the CAC to pursue current projects and explore new public art opportunities, and should continue to be utilized on an ongoing basis.

1. City of Clayton

The City of Clayton's commitment to the public art program is paramount to the program's success. The City's support is also crucial to the CAC's ability to raise funds from additional sources and sets an example for private developers who are required to (or wish to) include public art as a part of their development projects. The City's support of the public art program to date includes a staff liaison to the Clayton Art Commission, insurance for works of art, installation and maintenance of artworks, legal contracts, and legal support. In addition, the City of Clayton has and may continue to supply direct funding for operational expenses, consultants, and specific projects. In order to receive operational or project funds, the CAC must approve and submit to the City Manager a detailed budget request for the coming fiscal year.

Corporate, Foundation, Endowment, and Arts Council Grants

The Clayton Art Commission is eligible for funds from arts

funding agencies such as the Regional Arts Commission, the Missouri Arts Council, the Arts and Education Council, and the National Endowment for the Arts. Private and corporate foundations are another potential source of funds for public art programs. Each foundation has its own requirements, funding levels, and specifications for projects and programs they will fund. Grants from these resources are a potential source of supplemental funds and demonstrate community support that is essential to the program. While the CAC should continue its efforts to obtain funding from these resources, such funding cannot be depended upon for program or project costs. Contact and deadline information for a number of local corporations, foundations, and agencies that have contributed to the arts is located in Appendix E.

3. Contributions From Individuals

Individual donors may be interested in contributing to specific public art projects or educational programs. These donors may be approached in one-on-one meetings or through fundraising events, including parties, receptions, and family-oriented arts events. Fundraising events generally require a considerable amount of effort and initial investment in order to succeed, but they can bring in substantial funds and increase awareness and interest in public art projects.

Possible Ongoing Sources of Funding

The funding sources outlined above should be considered for every project. However, once the value and benefit of the public art program has been demonstrated to the community, options for more dependable and continuing funding sources need to be considered. Appropriate, ongoing funding sources are critical to the success of the public art program and will enable the CAC to commission and acquire an exceptional collection of public art. Consistent with its national identity as an upscale business locale, Clayton's public art must reflect the highest possible aesthetic qualities. If Clayton expects to cultivate an identity as a serious supporter of public art, the following options warrant further exploration by the City and the CAC.

1. Percent for Art

The City of Clayton may consider establishing a policy pursuant to which a percentage of funds from City capital projects is set aside for public art. Commonly known as Percent for Art, a policy of this type mandates that a percentage (generally ranging from 1 percent to 3 percent) of the budget of City-funded, above-ground construction projects be used for public artwork. Percent for Art creates the ability to include public art in new civic buildings and renovation projects, including artwork that is integrated into the design of the structure.

Percent for Art is not unique. Currently, there are more than 200 city, county, and state Percent for Art programs across the country. Forward-thinking cities such as Seattle, Washington; Portland, Oregon; Sacramento, California; Scottsdale, Arizona; Austin, Texas; Cambridge, Massachusetts; Philadelphia, Pennsylvania; Columbia, Missouri; San Jose, California; Albuquerque, New Mexico; Bloomington, Indiana; and Evanston, Illinois, have had great success with Percent for Art. Locally, the Bi-State Development Agency has a Percent for Art and Design Policy for all new construction projects.

Some important questions to address while considering how a Percent for Art program would work in Clayton include:

- What percentage should be set aside?
- Which projects would be required to set aside a Percent for Art?
- How would the City's fluctuating schedule for construction or renovation of buildings have an impact on the public art program over time?
- Would it be required that funds collected from a specific project be turned back into public art for that same project, or could they be "pooled" for projects throughout the City where they would have the strongest visual and community impact?

2. A Public/Private Public Art Fund

Another option for ongoing funding the City may consider is developing a public/private Public Art Fund, whereby a percentage of the budget of privately funded construction projects could be set aside for public art, with a one-to-one or percentage match from the City. This could be accomplished, for example, through an ordinance providing developers with the option of including approved public art projects on their own property or contributing to the Public Art Fund.

Such a public/private partnership would demonstrate

a commitment from both the City and the development community. It would provide private developers with the opportunity to contribute to a fund if they do not want to include public art in their own projects.

Questions that should be addressed in considering whether a Public Art Fund would work in Clayton include:

- What percentage should developers be asked to contribute?
- Which projects would be required to participate?
- What would be the City's match in funds?
- How would the fluctuation of private development have an impact on the public art program over time?
- What would the funds cover?

It is important to note that these options for providing ongoing funding for public art are not the only options that the City and the CAC might wish to consider, and are not mutually exclusive. They are, however, options that have been very successful in other communities, and that are strongly recommended for future consideration.



municipal arts plan

municipal arts plan • municipal arts plan •

MUNICIPAL ARTS PLAN

The Municipal Arts Plan suggests specific project opportunities for the Clayton Art Commission, potential collaborative projects, and additional sites where public art can be placed.

This Plan is a starting point. In order to be effective, it should be reviewed annually by a Municipal Art Plan Committee and updated and incorporated into the annual action plan, budget, and request to the City for funding. This committee should meet early in the calendar year in order to make recommendations to the CAC that can be included in the funding request to the City. Specifically, the Municipal Art Plan Committee should:

- Meet with City staff, including the Director of Public Works and the Director of Parks and Recreation, to get updated information regarding already identified projects and to identify potential new projects
- Meet with project partners such as the Landscape Committee, Arts in Transit, and the Saint Louis Art Fair to determine the direction for the coming year's projects and to explore partnerships and project collaborations
- Review list of sites to see if site conditions have changed

PROJECTS - 2002 to 2006

The Clayton Art Commission's list of public art projects for 2002-2006 includes projects that demonstrate a variety of styles and scales, capitalize on planned community improvements, are sensitive to community concerns, provide potential for educational impact, and offer opportunities for both local and non-local artists.

2002-2003 Projects

The Center of Clayton Location

The Center of Clayton is the City's new multipurpose community facility located at 50 Gay Avenue, adjacent to Clayton High School. It was developed in a unique collaboration between the City of Clayton and the Clayton School District. The Clayton Recreation, Sports and Wellness Commission (CRSWC) governs the Center. The specific site designated for public art is a grass-covered island surrounded by a circle drive at the main entrance of the Center.

Goals

The goals for this project are to install a piece of high-quality artwork that:

- Animates the front of the Center of Clayton
- Complements the building architecture
- Reflects and builds upon the past and future work of the artist
- Is of a scale appropriate to the site
- Welcomes the diversity of the users of the Center
- Is not an attractive nuisance
- Is of durable materials and sound fabrication

Procurement

As of May 2002, an RFQ was issued, and the responses were reviewed and ranked by an Artist Selection Panel made up of representatives from the CRSWC, the CAC, the CAC Advisory Council, and the Parks and Recreation Department. The top-three ranked artists were invited to submit specific proposals for the site. The same Artist Selection Panel will review proposals and make a final selection in July 2002.

Maintenance and Safety

The Parks and Recreation Department oversees the maintenance of the site. Because this site is in the center of an area where vehicles drop off passengers, it needs to be an artwork that is not going to entice children to run across the street. Therefore, it should not be an interactive work. Appropriate landscaping should be considered an integral part of this project, the design of which should be coordinated with the Parks and Recreation Department and the Landscape Committee.

Budget

A minimum budget of \$70,000 for design, shipping, and installation of the work is recommended.

Partners and Funders

The City of Clayton, through the Clayton Art Commission, is providing \$25,000 toward this project, which must be matched, plus an additional \$5,000 to cover artist selection. The Regional Arts Commission has committed \$5,000 toward the project. An ad hoc Fundraising Committee has put together a plan for soliciting funds from local foundations, neighboring corporations, and individuals.

Timeline

Pending availability of funds and fabrication needs, an objective is to install this work by the spring of 2003.

- Request qualifications December 2001 -January 2002
- Review qualifications February 2002
- Review proposals and select final artist/artwork July 2002
- Fundraising March 2002 and beyond
- Install artwork spring 2003

Wydown Park

Location

Wydown Park is a small neighborhood park a block east of Hanley on Wydown, on the north side of the street. The Parks and Recreation Department has been working with the architect from Mackey Mitchell Associates to develop a new design for the park that includes café tables, new plantings, new seating, and the potential for an artist-designed, naturalistic play space and an artist-designed walkway element.

Goals

The original concept for the play space includes sculptured play boulders and a walkway with an interactive sundial or seasonal plaza. The selected artist, while not necessarily taking these suggestions as mandatory, will create appropriate work with a naturalistic, interactive design appropriate to the scale and spirit of the Park. Since children will interact with the artwork, an important design consideration includes child safety.

Procurement

A Request for Qualifications was submitted and reviewed by an Artist Selection Panel made up of representatives from the neighborhood, the CAC, and the Parks and Recreation Department. The selected artist has been asked to develop both a walkway element and a play space, in consultation with design architects and the Parks and Recreation Department. The design must fit within the existing naturalistic design and will be reviewed by the same Artist Selection Panel.

Maintenance and Safety

The Parks and Recreation Department maintains Wydown Park. The play space should be safe for climbing. Consideration should be given to a walkway surface that is durable and can be easily maintained.

Budget

The approximate budget for the project is \$11,200, including artist fees and fabrication/installation of the artwork.

Partners and Funders

The existing budget for the pathway is \$3,200. The Clayton Parks Foundation is contributing \$8,000 for the passive play area.

Timeline

Park construction is scheduled to begin in the spring of 2002. In order to include artist specifications in the design documents, the following schedule has been established:

- Parks and Recreation to submit proposal to the Clayton Parks Foundation – January 2002
- Request qualifications February 2002
- Review qualifications, select artist, artist contract
- February to April 2002
- Design time May to June 2002
- Install artwork July to September 2002

Clayton City Hall and Fire Station Location

The Clayton City Hall and Fire Station are located at 10 N. Bemiston in the heart of the central business district. The current facility was built in phases, beginning with the Williamsburg-style Fire Station in 1924. City Hall was added in 1931. In 1938, a further addition was made to City Hall to house the Clayton Library. The Library subsequently became a branch of the St. Louis County Library and moved to a new facility. This portion of the building has since been utilized for City offices and meeting space. The City of Clayton intends to undertake a major renovation of a portion of the facility to be used as City Hall and to construct a new Fire Station and Parking Structure on the remaining property.

Goals

The overall design of this important and highly visible civic facility would be greatly enhanced by utilizing an artist as part of the design team. The artist could contribute to the overall design of the facility, as well as help to develop a site plan for future, site-specific works. This project has the potential to raise the level of excellence in design in Clayton and brings another skill set to the design process. The artist would specifically:

- Become familiar with the historical and cultural context of Clayton
- Work in collaboration with the architectural design team in the design of site improvements
- · Participate in public meetings on an as-needed basis
- Identify potential opportunities for permanent, site-specific public artworks
- Identify potential opportunities for public art

projects that address construction mitigation

By including this as an element of the City Hall/Fire Station planning and design process, the City would not only be enhancing the project but would also be setting a new standard for development in Clayton. The City would also be acting as a role model for the private developers that it hopes and expects will incorporate art into the design of significant projects in Clayton.

Procurement

A Request for Qualifications would be sent to local newspapers and be posted on the City of Clayton Web site and on major public art e-mail lists. In addition, a mailing would be sent to a shortlist of artists who have experience working on this type of design collaboration project. In the RFQ, artists will be asked to submit a cover letter describing their past design team experiences, a résumé, and slides.

An Artist Selection Panel made up of key City staff, members of the selected architectural design team, the Architectural Review Board, and members of the Clayton Art Commission and Advisory Council will review qualifications and may select up to three artists to interview with the same committee.

Maintenance and Safety

This project is being managed by the Department of Public Works. By collaborating with the architect selected by Clayton, and working closely with City staff, the artist must be able to contribute to a design that conforms to the maintenance and safety requirements of the City of Clayton.

Budget

The artist would spend approximately 120 hours in design and development for a total of approximately \$9,000. In addition, travel and other expenses may total approximately \$2,500. The total anticipated cost of artist involvement is approximately \$11,500.

By collaborating with design architects, artists may come up with ideas that can be integrated into the baseline design for the facilities and that will not add to the overall construction budget. For items that are beyond the baseline, additional funds will need to be raised. The overall budget for the renovation is over

\$7,000,000.

Partners and Funders

This project requires close coordination with the Department of Public Works. Some incidentals could be covered by in-kind contributions from hotels, rent-a-car companies, and airlines.

Timeline

Draft and send/advertise RFQ – 1 month Qualifications due – 6 weeks Review qualifications – 2 weeks Interviews – 2 to 4 weeks Artist selected and notified – 2 weeks

Projects 2003 - 2006

The following project ideas were developed in meetings with City staff and local stakeholders. These project ideas should be revisited at the beginning of each year to explore possible changes in conditions and whether new partnerships should be pursued.

Oak Knoll Park

Location

Oak Knoll Park, located at the northwest corner of Hanley and Big Bend Boulevard, is a 21-acre park that includes walking paths, a small man-made pond, a historic building housing the St. Louis Artists Guild, and the Clayton Early Childhood Center.

Goals

The Clayton Parks and Recreation Department will be contracting with a planning group to redesign the pond in the southeast corner of the park. In this process, the planners will develop new design standards for the renovation of the remaining areas of the park.

As a result of the American Society of Landscape Architects (ASLA) charette in the spring of 2001, several prominent landscape architects have suggested that the park would serve the public well as a "park for sculpture". The size and current use of the park, as well as the presence of the St. Louis Artists' Guild, have helped to further this recommendation.

As a member of the design team, the artist will take into consideration the perspective of the park user and the needs associated with future site-specific commissions for the park, including how sculpture and sculpted landforms could become integrated with the landscape and infrastructure design. The artist will bring an added aesthetic ability to the planning team's architecture, landscape, engineering, and urban-planning skill set.

Procurement

Pending the time frame, this could be a Limited Competition that includes 10 to 15 artists or an Open Competition.

Maintenance and Safety

By collaborating with the architect chosen by the City of Clayton, the artist will be able to design within maintenance and safety requirements.

Partners and Funders

Park Foundation, Artists' Guild, and the ASLA.

Budget

Pending the master plan scope of work, a budget should be created for an artist to work 100 to 200 hours at a fee ranging between \$65 and \$80/hour.

Timeline

Develop scope and budget in consultation with Parks and Recreation Department – 1 month

Issue RFQ - 2 months

Interview finalists and select artist – 1 month

Collaboration time – pending scope of work

Wydown Median

Location

Wydown Boulevard begins at Skinker Boulevard on the east and ends at Hanley Road on the west. This boulevard has a wide median with a well-used pedestrian/running trail linking Forest Park, several Clayton neighborhoods, and the southern part of the Central Business District.

Goals

An artist or artist team could be commissioned to create a permanent or temporary serial artwork that could be experienced while traveling the median as a pedestrian or down Wydown Boulevard in a vehicle.

Procurement

An open call will identify 5 to 7 artists to submit proposals. An artist selection committee made up of CAC members, Advisory Council members, and neighbors should review qualifications and proposals.

Maintenance and Safety

The median is maintained by the Public Works department. The department's involvement and advice in the design development is important to the success of the project.

Partners and Funders

Wydown Boulevard passes by Washington University and through several neighborhoods, where the neighborhood associations or individuals may be interested in contributing to the project. The Landscape Committee is also an important group to involve.

Budget

Pending scale of work.

Timeline

- Explore with Wydown Boulevard neighbors to gauge interest in project 2 months
- Develop scope of work and budget in consultation with the Public Works Department – 2 months
- Issue RFQ -2 months

- Request proposals from finalists and select final artist – 3 months
- Design and installation time 6 months

The Center of Clayton Atrium

Location

The Center of Clayton is the city's new multipurpose community facility located at 50 Gay Avenue, adjacent to Clayton High School. It was developed in a unique collaboration between the City of Clayton and the Clayton School District. The Clayton Recreation, Sports and Wellness Commission (CRSWC) governs the Center. The specific site for a work of art is the atrium above the entry.

Goals

A hanging piece that is a light, airy, and colorful addition to the atrium of the Center. The selected artist should consider the many views of the site and work with the existing lighting system.

Procurement

Through an Open Competition, 3 to 5 artists would be chosen to submit a final proposal for the site.

Maintenance and Safety

The artist should work with an engineer to make sure that the piece will be securely hung. How the work is cleaned should be considered.

Partners and Funders

The CAC should work with the CRSWC to identify funding sources.

Budget

\$25,000 – \$50,000, including travel, materials, fabrication, and installation.

Timeline

- Develop scope and budget for project 1 month
- Issue RFQ 2 months
- Request proposals from finalists and select final artist – 3 months
- Design and installation time 6 months

Mark Twain Circle

Location

The Mark Twain Circle is an approximately 2-acre portion of Shaw Park that is located directly in front of the Clayton School District Administration Building.

Goals

Mark Twain Circle is an area that is used as an open play space. This space is also viewed by neighboring buildings and people who drive by. This project would team an artist with a landscape architect to create a landscaped environment that can be enjoyed by both pedestrians and vehicle traffic, while keeping the open play use. The chosen artist/landscape architect team should take into consideration how people can use the large green space as a place to walk, to sit, to play, and to learn about nature and the environment.

Procurement

An Open Competition will identify 3 to 5 artists to submit proposals. An Artist Selection Panel made up of members of the CAC, Advisory Council, the Park and Recreation Commission, the Landscape Committee, the School Board, and neighbors will review qualifications and proposals.

Maintenance and Safety

The Parks and Recreation Department maintains Mark Twain Circle. A highly planted area could potentially have great maintenance needs and would require a commitment from the City to maintain the site.

Partners and Funders

This project should be a joint project with the Clayton Landscape Committee. Other potential partners include the Missouri Botanical Garden and the Clayton School District.

Budget

Depending on the scope of work, the budget could range from \$30,000 to \$100,000.

Timeline

- Develop scope and budget for project in collaboration with the Landscape Committee, the Parks and Recreation Department, and Public Works – 2 months
- Fundraising for project 6 months
- Issue RFQ 2 months
- Request proposals from finalists and select final artist – 3 months
- Design and installation time 6 months

COLLABORATIVE PROJECTS

Saint Louis Art Fair Collaboration

The Saint Louis Art Fair (SLAF) is one of the most successful art festivals in the nation. Each fall it brings approximately 165 artists and 140,000 visitors to Clayton. The Saint Louis Art Fair draws a large and diverse arts audience to the City. It also provides an excellent opportunity to highlight the public art program through the commissioning of a temporary or permanent public artwork to be created at the SLAF in collaboration with SLAF and Arts in Transit. Previous collaborations have yielded successful projects such as Dancing Chairs by artist Rod Baer and Red Ball by Kurt Perschke. A collaborative project is being explored again in 2002 and should be replicated in future years if deemed successful by all three partners.

In order to be a successful collaboration, representatives from the partnering organizations should meet early in the year to discuss and make decisions regarding the scope, site, and budget for the project. The selected site should take into consideration the sites identified in the Municipal Arts Plan and the goals of the other partners. Based on these decisions, artist selection should take place in the spring, with a final decision made by June so that information will be available to SLAF staff for publication in the program by July.

Temporary Public Art Exhibit

The month of June brings many people from all over the region to Clayton – and to Shaw Park specifically – for the Taste of Clayton, Parties in the Park, and the St. Louis Jazz Festival. An annual Temporary Public Art Exhibit, which could debut at the Taste of Clayton and be up through the Jazz Festival, could include works to draw attention to Park entrances, line the pathways, highlight special areas, and define the overall space.

Works could be commissioned through a competitive process, marketed mainly to local artists. Artists should be compensated with a stipend for their work. Works could be available for sale or relocation after the Jazz Festival. This idea should be explored with potential project partners for June 2003.

Arts in Transit

Clayton is well-served by the Bi-State Development Agency's MetroBus system, and starting in 2005, the City will also be traversed by MetroLink, with one station located within Clayton at Forest Park Parkway and Central. Arts in Transit, a community partnership program of the Bi-State Development Agency, will be identifying opportunities for temporary and site-specific public art projects in conjunction with the new MetroLink line as well as with the connections to the MetroBus system. Arts in Transit intends to invite the Clayton Art Commission to participate in the selection of artists for these projects.

Landscape Committee - Bench Program

The Landscape Committee and the Clayton Art Commission have successfully worked together to begin an artist-designed bench program. The first three benches were installed at the intersection of Clayton and Forsyth in 2000. Some of these benches were created as temporary works and will need to be replaced. Other sites may be identified that would benefit from unique seating. This collaboration should continue, with the Landscape Committee identifying sites and the Clayton Art Commission soliciting artists. Both groups can work together to select the final benches.

SITES FOR COMMISSIONS, GIFTS, AND LOANS

The following is a list of sites, which are in the City of Clayton and belong to the City that would be appropriate for public art. Land owned privately or controlled by other public entities has not been listed, but the opportunity exists to discuss potential gifts and loans with those landowners and stakeholders should a specific site be appropriate.

Location	Description/Size	Type and Scale of Work Appropriate (Appropriate Work?)	Site Owner
N. Forsyth median from Clayton City line south to Maryland	15' wide medians	Serial work with a simple profile	Public Works
Traffic Island at SW Corner of Forsyth and Maryland	60' x 15'	Landscape/earthwork or large scale sculpture	Public Works
Shaw Park Pool	Grassy area in front to north of entry	Public seating area where people could wait to be picked up from the pool and school/camp groups can wait for their buses	Parks and Recreation
Centennial Park – Brentwood at S. Bonhomme	50' x 125'	Large sculpture with appropriate landscaping (2001-2003 Calder installation, Washington University Gallery of Art loan)	Parks and Recreation
Clayton City Hall	Pedestal	Large vertical scale work to fit on current pedestal (1999-2004 Milles installation, Saint Louis Art Museum loan)	Public Works
Wydown at Hanley	Island, 20' x 20'	Work must be large enough to capture attention of drivers and should not attract children to cross street	Public Works
Wydown Median	2-miles long, 36' wide	Low-profile, serial work that will engage pedestrian and/or jogger; must consider unique landscape qualities of each section	Public Works
Oak Knoll, Rose Garden	47' x 60', center garden is 10' in diameter	Large-scale traditional work	Parks and Recreation
Taylor Park	One-acre park at Kingsbury and Central	Child-oriented sculpture or artist-designed functional items such as fencing, seating, etc.	Parks and Recreation
DeMun median from Clayton Rd. south to Rosebury	15' wide	Pedestrian-oriented, low-profile earthwork	Public Works
NE corner of Demun and San Bonita	5 acre traffic triangle	Artist-designed seating area or gazebo	Public Works
Demun Park	0.6 acre park at Southwood and Demun	Child-oriented sculpture in central garden space	Parks and Recreation



community education program

community education program • commun

COMMUNITY EDUCATION PROGRAM

Community education programming is an integral part of the public art program. Art not only adds to the City's visual environment, but it also becomes a stimulus for learning about art and the society in which it was created. Art motivates learning in many areas, including history, science, the language arts, and the performing arts.

Activities When Commissioning or Receiving a New Artwork

The addition of a new work to the Clayton Art Commission's collection is a great opportunity to engage the public at many different levels. With each project, the following activities should be considered:

1. During the commissioning process

The Selection Panels are one way to involve community members in the selection of the artwork. There are, however, other ways to garner the interest of the community, including:

- Showing other work by the artist in a public location
- Publishing information about the project and artist prior to the installation of the work
- Speaking engagements, lectures, workshops, or receptions for the artist

2. Unveiling the artwork

Once the work is installed, other efforts should be made to inform people about the project:

- A ribbon-cutting/unveiling ceremony is a great opportunity to acknowledge everyone who helped make the project possible
- Issuing a press release about the project
- Publishing a fact sheet or brochure on the new work

3. Curriculum development

New public artworks are a great opportunity to collaborate with the Clayton School District to develop lessons and projects to use in the schools.

Information Booths

The City of Clayton has several festivals each year. The Clayton Art Commission should have a presence at these festivals either by staffing a booth and/or doing a specific project. Some of these festivals include the Taste of Clayton, the Saint Louis Art Fair, and the St. Louis

Jazz Festival.

Brochures

The Clayton Art Commission, in collaboration with Arts in Transit, the City of Chesterfield, Grand Center, Laclede's Landing, the City of St. Louis, and the City of University City, published a regional public art brochure in the spring of 2001. This brochure features nine public artworks in Clayton. The Clayton Art Commission should consider continuing to work with this consortium to issue brochures and educational material. Due to the popularity of the current brochure, it is possible that a new one can be issued within three to five years. Should this not take place, the Clayton Art Commission should issue its own updated brochure in three to five years.

Artwork-specific materials may also be considered in the interim. These materials may include project specific brochures or fact sheets, bookmarks with a photo, and information about the artwork, posters, etc.

Community Education and Teacher Resource Materials

The above-mentioned consortium of arts organizations is currently collaborating to create public arts curriculum kits to be used by area educators. These kits, which would be made available to teachers throughout the region, will highlight 1 to 2 works in the public art collections of each collaborating group. For each work of art, these packets will include, at a minimum, a slide of the artwork and an interdisciplinary lesson plan. These packets may also be expanded to include posters of the work, ideas for community activities, a video or CD-ROM of the fabrication or installation of the work, a self-guided tour, or other materials as budgetary considerations allow.

Web Site

The Clayton Art Commission's Web site is an important way to provide information about the public art program. The Web site can act as an online brochure where a map and information about all of the city's public artwork can be found. It can also provide information about past and future projects, events, calls to artists, and the Public Art Master Plan.

Community Events

In addition to events related to the commissioning of a new artwork, the Clayton Art Commission can facilitate public art tours, a docent program, and public lectures by arts professionals to adults and/or at schools, businesses, etc. The audience for these events may be corporate officers, students, and residents, including children and elders. The Center of Clayton and the Saint Louis Artists' Guild are ideal locations for lectures and workshops.

Newsletter

Cityviews, the City of Clayton's bimonthly newsletter, is an excellent way to publicize the activities of the Clayton Art Commission and get the community engaged in the public art program. For future consideration, the Clayton Art Commission could publish a printed or online Clayton arts newsletter that would promote public art projects, Gallery Nights, the Saint Louis Art Fair, and St. Louis Artists' Guild classes and programs; profile local artists; highlight Clayton School District art projects; etc. This could be an independent publication or a supplement to Cityviews.



appendices

BYLAWS

OF

CLAYTON ART COMMISSION

ARTICLE I Name and Purpose

The Corporation shall be known as Clayton Art Commission. The Corporation is formed under the Missouri Nonprofit Corporation Act, Chapter 355 of the Revised Statutes of Missouri, as amended (the "Act").

The purpose of the Corporation is to take such acts as may be necessary to devise and support a process for incorporating artist services and art works about the City of Clayton; recommend policies and guidelines for acquiring and commissioning works of art which shall enrich the quality of life for residents and visitors of the City of Clayton; and promote the acquisition, maintenance, and upkeep of works of art on sites within the City of Clayton.

ARTICLE II Board of Directors

- Section 1. Duties. The property, business, and affairs of the Corporation shall be controlled, conducted and managed by the Board of Directors which shall exercise all the corporate powers of the Corporation.
- Section 2. Number. The number of directors to constitute the Board of Directors shall be nine (9) as provided in the Articles of Incorporation. The directors shall be elected in the number and from the specified professions as follows:
 - (a) Three (3) who are from the professions of either architecture, landscape architecture, planner, art professionals or art historian, or any combination thereof;
 - (b) Three (3) who are citizens of the City of Clayton, Missouri, one selected from each ward;
 - (c) Two (2) who are professional and practicing artists; and
 - (d) One (1) who is a member of the Clayton Plan Commission/Architectural Review Board.

Section 3. Election of Directors and Term. Each member of the Board of Directors shall be elected by an affirmative vote of a majority of the members of the Board of Aldermen for the City of Clayton, Missouri.

The directors shall be classified in respect to the time they shall severally hold office, by dividing them into three (3) classes, each class consisting of three (3) directors. Except as otherwise provided, with regard to the directors of the first Board of Directors, the directors of the first class shall be elected for a term of one (1) year; the directors of the second class shall be elected for a term of two (2) years; and the directors of the third class shall be elected for a term of three (3) years.

Prior to each annual meeting of the Board of Directors, the successors to the directors of the class whose term shall expire shall be elected by an affirmative vote of a majority of the members of the Board of Aldermen for the City of Clayton, Missouri. After the initial terms of the first Board of Directors, directors in each class shall hold office for a term of three (3) years so that there shall be one class of directors expiring each year.

Section 4. Vacancies. A vacancy on the Board of Directors caused by death, resignation, removal, or otherwise may be filled by the Board of Aldermen of the City of Clayton for the unexpired term.

Section 5. Meetings. The annual meeting of the Board of Directors shall be held on the second Monday in the month of April, in each year, beginning with the year 1998, at the hour of 7:00 p.m. The Board of Directors may provide for the holding of additional regular meetings without notice thereof by fixing the time and place, either within or without the State of Missouri, of such regular meetings in these Bylaws.

Regular meetings of the Board of Directors, other than annual meetings, shall be held at such time and place as determined by the Board, but shall be held not less frequently than quarterly.

Special meetings of the Board of Directors may be called at the request of the Chairperson of the Corporation or by two (2) directors. The person(s) authorized to call a special meeting of the Board of Directors shall fix the place, which shall be within the City of Clayton, Missouri, where such meeting shall be held.

Meetings of the Board of Directors shall be governed by "Roberts Rules of Order."

Section 6. Notice of Meetings. The Chairperson or the Secretary of the Corporation shall give notice of every meeting of the Board of Directors to the Directors in writing, at least five (5) days prior to the meeting date. Additionally, the Chairperson or the Secretary of the Corporation shall give notice of every meeting of the Board of Directors in accordance with the applicable requirements of Section 610.010 et seq., Revised Statutes of Missouri, as the same may be amended or revised from time to time.

Section 7. Waiver of Notice. A director may at any time waive any required notice. Except as set forth below, the waiver must be in writing, signed by the director entitled to the notice, and filed with the minutes or the corporate records of the Corporation. A director's attendance at or participation in a meeting waives any required notice of the meeting unless the director upon arriving at the meeting or prior to the vote on a matter not noticed in conformity with this chapter, the articles or bylaws objects to lack of notice and does not vote for or assent to the objected-to action.

Section 8. Quorum. The number of directors present for a meeting of the Board of the Directors to constitute a quorum shall be five (5). Unless the act of a different number is required by statute, the Articles of Incorporation or these Bylaws, the act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board.

Members of the Board of Directors may participate in and act at any meeting of the Board of Directors, whether regular or special, through the use of a conference telephone or other communications equipment by means of which all persons participating in the meeting can hear each other, and participation in such a meeting in this manner shall constitute attendance and presence in person at the meeting of the person or persons so participating for all purposes, including fulfilling the requirements of this Section.

Section 9. Voting. At all meetings of the Board, each Director is to have one (1) vote.

Section 10. Presumption of Assent. A director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be conclusively presumed to have assented to the action taken unless his or her dissent shall be entered in the minutes of the meeting or unless that Director shall file his or her written dissent to such action with the person acting as secretary of the meeting before the adjournment thereof or shall forward such dissent by mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

Section 11. Resignations. Any director may resign at any time by giving written notice to the Board of Directors, the Chairperson or the Secretary of the Corporation. Any written notice shall be effective upon its receipt by the Board of Directors, Chairperson or Secretary, as the case may be, unless otherwise provided therein. Unless otherwise specified in such notice, acceptance of such resignation shall not be necessary to make it effective.

Section 12. Removal of Directors. Any director elected by the Board may be removed without cause by the vote of two-thirds of the members of the Board of Alderman of the City of Clayton, Missouri. Notice of the proposed removal shall be given to all Alderman of the City of Clayton, Missouri prior to action thereon. A director may also be removed, at the discretion of the Board of the Corporation, if said director has unexcused absences for more than three consecutive meetings; provided, however, that the director may be removed only if a majority of the directors then in office vote for the removal.

- Section 13. Committees. The Board of Directors, by resolution approved by a majority of all the Directors then in office, may designate two or more directors to constitute a committee or subcommittee which shall have the name, purpose, power and authority delegated to it by such resolution. A committee or subcommittee of the board may not:
 - (1) Authorize distributions to Directors, officers, agents or employees;
 - (2) Approve dissolution, merger or the sale, pledge or transfer of all or substantially all of the Corporation's assets;
 - (3) Unless otherwise provided in these Bylaws or the Articles of Incorporation, fill vacancies on any committees; or
 - (4) Adopt, amend or repeal the Articles or Bylaws.
 - Section 14. Compensation. The Board of Directors shall serve without compensation.
- Section 15. Ex-Officio Directors. The Board of Aldermen of the City of Clayton, Missouri, shall appoint two (2) members of the Board of Aldermen to serve on the Board of Directors as Ex-Officio Directors. Such Ex-Officio Directors shall not vote on matters considered by the Board, and shall not be considered for purposes of a quorum.

ARTICLE III Officers

- Section 1. Number. The officers of the Corporation shall be a Chairperson, one or more Vice-Chairpersons, a Secretary and a Treasurer. All said officers shall be Directors presently serving on the Board. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors. Any two or more offices may be held by the same person, except the offices of Chairperson and Secretary.
- Section 2. Election and Term of Office. The officers of the Corporation to be elected by the Board of Directors shall be elected annually at the Annual Meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be arranged. Each officer shall hold office until his or her successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided.
- Section 3. Removal. Any officer may be removed by a vote of a majority of the entire Board of Directors whenever in its judgment the best interests of the Corporation will be served thereby.

Section 4. Resignations. Any officer may resign at any time by giving written notice to the Board of Directors, the Chairperson or the Secretary of the Corporation. Any written notice shall be effective upon its receipt by the Board of Directors, Chairperson or Secretary, as the case may be, unless otherwise provided therein. Unless otherwise specified in such notice, acceptance of such resignation shall not be necessary to make it effective.

Section 5. Vacancies. A vacancy in any office because of death, incapacity, resignation, removal, disqualification or otherwise, may be filled by a vote of a majority of the entire Board of Directors for the unexpired portion of the term.

Section 6. Chairperson. The Chairperson shall preside at all meetings of the Board of Directors. The Chairperson may sign, with the Secretary or any other proper officer of the Corporation thereunto authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed. The Chairperson may vote in person or by proxy shares in other Corporations standing in the name of this Corporation. The Chairperson shall in general perform all duties incident to the office of Chairperson and such other duties as may be prescribed by the Board of Directors from time to time.

Section 7. The Vice-Chairperson. In the absence of the Chairperson, whether due to resignation, incapacity or any other cause, or in the event of the Chairperson's death, inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting, shall have all the powers of and be subject to all restrictions upon the Chairperson. The Vice-Chairperson shall exercise such powers only so long as the Chairperson remains absent or incapacitated, or until the Board of Directors elects a new Chairperson. Any Vice-Chairperson shall perform such other duties as from time to time may be assigned to him or her by the Chairperson or by the Board of Directors.

Section 8. The Secretary. The Secretary shall (a) keep the minutes of the proceedings of the meetings of the Board of Directors in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (c) be custodian of the corporate records and of the seal of the Corporation and see that the seal of the Corporation is affixed to all documents the execution of which on behalf of the Corporation under its seal is duly authorized; (d) keep a register of the post office address of each director and member which shall be furnished to the Secretary by such member; and (e) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Chairperson or by the Board of Directors.

Section 9. The Treasurer. The Treasurer shall: (a) have charge and custody of and be responsible for all funds and securities of the Corporation; (b) receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the

name of the Corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article IV of these Bylaws; and (c) in general perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to the Treasurer by the Board of Directors. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of the Treasurer's duties in such sum and with such surety or sureties as the Board of Directors shall determine.

ARTICLE IV Contracts, Loans, Checks and Deposits

- Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent, or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.
- Section 2. Loans and Indebtedness. No loans or indebtedness shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances. In no event shall any loans be made by this Corporation to its officers or directors.
- Section 3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by the Chairperson or Treasurer or such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.
- Section 4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to tune to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

ARTICLE V Fiscal Year

The fiscal year of the Corporation shall be from January 1 to December 31 or as fixed from time to time by the Board of Directors by resolution.

ARTICLE VI Indemnification

The Corporation shall indemnify those persons required to be indemnified pursuant to any provision of the Articles of Incorporation or the Act. The Corporation may indemnify those persons permitted to be indemnified under any provision of the Articles of Incorporation or the Act.

ARTICLE VII Corporate Seal

The Board of Directors shall provide a corporate seal in the form of a circle and inscribed with the organization and the words "Corporate Seal." Such seal shall be in the charge of the Secretary.

ARTICLE VIII Waiver of Notice

Whenever any notice is required to be given under the provisions of these Bylaws or of the Articles of Incorporation or of the Act, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE IX Records

- Section 1. Retention of Records. The corporation shall keep as permanent records current and complete books and records of accounts and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the Board of Directors.
- Section 2. Records to be kept at Principal Office. The corporation shall keep a copy of the following records at its principal office:
 - (1) Its articles or restated articles of incorporation and all amendments to them currently in effect;
 - (2) Its bylaws or restated bylaws and all amendments to them currently in effect;
 - (3) Resolutions adopted by its board of directors relating to the characteristics, qualifications, rights, limitations and obligations of members or any class or category of members;
 - (4) A list of the names and business or home addresses of its current directors and officers:
 - (5) Its most recent annual report delivered to the secretary of state; and
 - (6) Appropriate financial statements of all income and expenses.

Section 3. Inspection of Records. The Corporation shall make such records as are required under the Act or any other applicable law available for inspection and copying to those persons and to the extent required under the Act or any other applicable law. Such inspection and copying shall be accomplished at a reasonable time and location specified by the corporation. The corporation may impose a reasonable charge, covering the costs of labor and material, for copies of any documents provided.

ARTICLE X Amendments

These Bylaws may be altered, amended or repealed and new Bylaws adopted by action approved by a majority of the directors in office at the time the amendment is adopted. The corporation shall provide notice of any meeting of directors at which an amendment is to be approved. The notice must state that the purpose, or one of the purposes, of the meeting is to consider a proposed amendment to the bylaws and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment.

ARTICLE XI Investments and Earnings

The Corporation shall have the right and responsibility of using, retaining, investing, and reinvesting all or any part of any securities, monies, property or funds acquired or held by it in whatever manner according to the judgment of the Board, without restriction of any kind, provided that the intent of the donor is honored and provided further that no actions shall be taken by or on behalf of the Corporation if such action is a prohibited transaction or would result in the denial, suspension or revocation or tax-exempt status under Missouri law or the United States Internal Revenue Code.

No member, director, officer, employee or any other person shall receive at any time any of the net earnings, or pecuniary profit from the operations of the Corporation except that nothing shall prevent the payment of reasonable compensation for services rendered to or for the Corporation in pursuance of any of its purposes, such compensation to be fixed by the Board.

ARTICLE XII Dissolution of the Corporation

The Corporation may be dissolved in accordance with the procedure prescribed in the Act. At any time when the dissolution of the Corporation is authorized, the Board of Directors then holding office shall distribute the assets of the Corporation remaining after the payment, satisfaction

and discharge, or adequate provision therefor, of all liabilities and obligations of the Corporation, in accordance with the provisions of the Articles of Incorporation.

ARTICLE XIII Adoption

These Bylaws shall become effective immediately upon their adoption by a vote of a majority of the Board of Directors of the Corporation.

Effective as of the 4 day of 2 une, 1998.

(Seal)

Secretary

Ausan Untille Chairperson

BILL NO. 5452

ORDINANCE NO. 5338

AN ORDINANCE CREATING A "CLAYTON ART COMMISSION" TO OVERSEE THE INTEGRATION AND DISPLAY OF VARIOUS WORKS OF ART IN PUBLIC SPACES THROUGHOUT THE CITY OF CLAYTON

WHEREAS, art in public places provides an important asset to the cultural, educational, and artistic life of the community while enhancing the quality of life of its inhabitants including its children; and

WHEREAS, public art establishes a distinctive reputation for Clayton as a community dedicated to art appreciation, quality cultural amenities and performing arts; and

WHEREAS, the Board of Aldermen acknowledges the role of public art in enhancing economic development, including cultural tourism; and

WHEREAS, the Board of Aldermen seeks to enhance the stature of the City as a dynamic and progressive city, experiencing economic, social and cultural growth; and

WHEREAS, the Board of Aldermen supports expanding the opportunities for the residents and visitors of Clayton to experience art of the highest quality in public spaces and facilities;

WHEREAS, the Board of Aldermen finds that it is in the best interest and welfare of the City of Clayton to encourage appreciation of the arts through the integration and display of public art throughout areas of Clayton; and

WHEREAS, the Board of Aldermen wishes to establish a mechanism and process for engaging artists and obtaining various pieces of art for public display to afford citizens the opportunity for cultural enrichment.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1. The City of Clayton hereby establishes the "Clayton Art Commission" the function of which will be as follows:

- a. To devise and support a public process for incorporating artist services and art works into the City of Clayton.
- b. To define policies and guidelines for acquiring and commissioning art of the highest standards which shall enrich the quality of life for all residents and visitors of the City of Clayton.
- c. To promote the acquisition, maintenance and upkeep of works of art on sites within the City through contributions of specific art or funds to acquire and maintain the same.

Section 2. The Mayor and the Board of Aldermen shall appoint the initial Board of Directors. The first Board of Directors will incorporate the entity and establish its by-laws and procedures. The Board will consist of nine (9) members who are not elected City officials or paid City staff and shall consist of:

- a. Three (3) from the professions of architect, landscape architect, planner, art professionals and art historian.
- b. Three (3) citizens of Clayton, one selected from each ward;
- c. Two (2) professional and practicing artists;
- d. One (1) member of the Clayton Plan Commission/Architectural Review Board.

In addition two members of the Board of Aldermen shall serve as exofficio members.

Section 3. The initial Board of Directors shall serve respectively;

- a. Three (3) members for one year;
- b. Three (3) members for two years, and;
- c. Three (3) members for three years.
- d. The Mayor and Board of Aldermen shall specify their respective terms at the time of their appointment. Thereafter, the members of the Commission shall be appointed by the Mayor and the Board of Aldermen for three year terms which shall be set under such conditions as established by the Board of Directors of the Commission.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen.

Adopted this 10th day of June, 1997.

Mayor

ATTEST:

City Clerk

ARTICLES OF INCORPORATION

OF

CLAYTON ART COMMISSION

HONORABLE REBECCA McDOWELL COOK SECRETARY OF STATE STATE OF MISSOURI P.O. BOX 778 JEFFERSON CITY, MISSOURI 65102

The undersigned, natural person of the age of eighteen (18) years or more, for the purpose of forming a corporation (the "Corporation") under the Missouri Nonprofit Corporation Act, does hereby adopt the following Articles of Incorporation:

ARTICLE ONE

The name of the Corporation is Clayton Art Commission.

ARTICLE TWO

The Corporation is a public benefit corporation.

ARTICLE THREE

The duration of the Corporation is perpetual.

ARTICLE FOUR

The address, including street and number, if any, of the Corporation's initial registered office this State is 7733 Forsyth Boulevard, 12th Floor, St. Louis, Missouri 63105, and the name of its initial registered agent at such address is Sarah A. Siegel.

ARTICLE FIVE

The name and address of each incorporator is as follows:

Sarah A. Siegel 7733 Forsyth Boulevard, 12th Floor St. Louis, Missouri 63105

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ARTICLE SIX

The Corporation shall have no members. The affairs of the Corporation shall be managed by its Board of Directors.

ARTICLE SEVEN

Upon dissolution of the Corporation for any reason, all assets of the Corporation, after payment of all its liabilities, shall be transferred to another charitable organization or organizations, to the City of Clayton, Missouri, or to the United States, a state, or another local government, as the Board of Directors may determine, to be administered or used in such manner as will best accomplish the general purposes of the Corporation. In no event shall any such assets or property be distributed to any member, director or officer of the Corporation.

ARTICLE EIGHT

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The Corporation is organized for the following PURPOSES:

To obtain money or property by gift, bequest or devise and to invest and reinvest the same, and to apply the income and principal thereof as the Board of Directors may from time to time determine, either directly or through contributions to any charitable organization or organizations or to the City of Clayton, exclusively for educational, charitable, social welfare, health, or scientific purposes, and to engage in any and all lawful activities incidental thereto except as restricted herein. Without limiting the generality of the above, the Corporation will (i) devise and support a process for incorporating artist services and art works about the City of Clayton, (ii) recommend policies and guidelines for acquiring and commissioning works of art of the highest standards which shall enrich the quality of life for residents and visitors of the City of Clayton, and recommend said policies and guidelines to the City of Clayton, and (iii) promote the acquisition, maintenance, and upkeep of works of art on sites within the City of Clayton.

In furtherance of its corporate purposes, the Corporation shall have all general powers enumerated in Section 355.131 of the Missouri Nonprofit Corporation Act, together with the power to solicit grants and contributions for corporate purposes.

No part of the earnings of the Corporation shall inure to the benefit of its members, directors, officers or any private individual, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

The term "charitable organization," as used in these Articles shall include only a corporation, trust, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary or educational purposes and which otherwise qualifies as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as it may hereafter be amended.

The Corporation shall not directly or indirectly carry on any activity which would prevent it from obtaining exemption from federal income taxation as a corporation described in Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as it may hereafter be amended, or cause it to lose such exempt status, or carry on any activity not permitted to be carried on by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as now in effect or as it may hereafter be amended.

ARTICLE NINE

The number of Directors to constitute the first Board of Directors is nine (9). Thereafter, the number of Directors shall be fixed by or in the manner provided for in the By-Laws of the Corporation.

ARTICLE TEN

(a) The provisions of this Article shall be in the nature of a contract between the Corporation and each of its directors and officers made in consideration of such person's continued service to the Corporation. The protection afforded to each director or officer by the provisions of this Article shall survive such person's term of office or employment. This Article may not be repealed, nor may the benefits to the directors and officers afforded hereby be diminished, except as to liability accruing in respect of acts or omissions occurring after the date of such repeal or modification.

MAR 0 9 1998

INCORPORATION ISSUED

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Articles of Incorporation of Clayton Art Commission

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(b) The Corporation shall hold harmless and indemnify each director and officer to the

fullest extent authorized or permitted by the provisions of Subsections 1 through 6 and 9 through 11

of Section 355.476, Missouri Revised Statutes, as the same has been or may be amended or revised

from time to time (which Section, in its entirety, is hereinafter referred to as the "State Statute") or

any other or additional statutory provisions which are hereafter adopted authorizing or permitting

such indemnification.

(c) The Corporation may purchase and maintain for the benefit of each director or officer,

as named insured or additional insured directors' liability insurance (covering claims arising out of

wrongful acts or omissions) in respect of liabilities asserted against and/or incurred by its directors

and officers in either such capacity or otherwise in the performance of their services for the

Corporation.

(d) All agreements and obligations of the Corporation contained in this Article shall

continue during the period the director or officer is a director or officer of the Corporation (or is or

was serving at the request of the Corporation as a director, officer, employee or agent of another

corporation, partnership, joint venture, trust or other enterprise), and shall continue thereafter so long

as the director or officer shall be subject to any possible claim, or threatened, pending or completed

action, suit or proceeding, whether civil, criminal or investigative, by reason of the fact that he or

she was a director or officer of the Corporation or was serving in any other capacity referred to in

this Article.

ARTICLE ELEVEN

Bylaws of the Corporation, consistent with these Articles, shall be adopted by the Board of

Directors, and may be amended in the manner provided in such bylaws.

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Articles of Incorporation of Clayton Art Commission

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ARTICLE TWELVE

These Articles may be amended in the manner provided by law; provided, however, that each amendment to these Articles must be approved, in writing, by the Board of Aldermen of the City of Clayton, Missouri though an affirmative vote of the majority of such members of the Board of Aldermen of the City of Clayton, Missouri.

IN WITNESS WHEREOF, these Articles of Incorporation have been executed on this 2nd day of 2nd, 1998.
Sarah A. Siegel, Incorporator
STATE OF MISSOURI)
OUNTY OF ST. LOUIS) SS.
I, <u>Edine Michol</u> , a Notary Public, do hereby certify that on this 2 day of <u>March</u> , 1998, personally appeared before me Sarah A. Siegel who, being by me first duly sworn, declared that she is the person who signed the foregoing document as
Incorporator and that the statements therein contained are true.
Notary Public
My commission expires:

MAR 0 9 1998

RECPETANT OF GRAPE

APPENDIX B

SAMPLE ARTIST LETTER OF AGREEMENT

Date			
Artist Address			
Dear Artist:			

We are pleased to inform you that the selection committee has reviewed and accepted your proposal for **title of work** (the Work).

This letter will serve to confirm your agreement to perform the following services:

- 1) It is agreed that you:
 - a) Shall perform all services and furnish, as proposed in your concept: supplies, materials, labor, and equipment necessary for the design, execution, fabrication, transportation, and installation of the work that you submitted for the Work.
 - b) Will, within 15 days, furnish to the Clayton Art Commission:
 - i) Plans for the final design and installation of the Work, including: list specific details, if desired
 - ii) A final timeline for fabrication, final siting, shipping, and installation of the work
 - iii) A final, itemized budget
 - c) Shall guarantee that the work of art will be in place on the site prior to installation date. At that point, the City of Clayton will take ownership of the work.
 - d) Will bear the risk of loss or damage to the artwork and shall hold harmless the City of Clayton and the Clayton Arts Commission against any and all claims or liabilities existing or arising in connection with the construction and liens during the construction of the project. Proof of liability insurance in the amount of \$ quantity must be provided before fabrication begins. Upon completion of final installation and acceptance of the Work, liability will shift to the City of Clayton.
 - e) Will retain rights of reproduction of the above stated Work in perpetuity, always stating that the work was commissioned by the Clayton Art Commission and is owned by the City of Clayton. You will grant to the City of Clayton and the Clayton Art Commission and its assigns an irrevocable license to make photographic or graphic reproductions of the Work, including, but not limited to, reproductions used in advertising, brochures, media publicity, and catalogs or other similar publications, provided that these rights are exercised in a tasteful and professional manner and that the artist is duly credited.
 - f) Will retain all rights under the Copyright Act of 1976, 17 U.S.C. Sec. 101 et seq., and all other rights in and to the Work except ownership and possession. You are responsible for filing for this copyright with the U.S. Copyright Office.

- g) Shall not make any additional exact duplicate reproductions of the final Work, nor shall the Artist grant permission to others to do so except with the written permission of the City of Clayton.
- h) Will furnish the Clayton Art Commission with a full written narrative description of the Work.
- i) Will provide to the Clayton Art Commission written instructions for appropriate maintenance and preservation of the Work.
- j) Shall have the right to disclaim authorship of the Work in the event of any alteration or damage, whether intentional, accidental, within or without the control of the City, or otherwise, including the relocation of the artwork or significant alteration of the site.
- k) Shall comply with all applicable state and local laws, rules and regulations in the execution of the scope of work.
- I) Agree to perform all work under this Agreement as an independent contractor and not as an agent or an employee of the City of Clayton or the Clayton Art Commission. As an independent contractor, you shall furnish all supervision, labor, materials, equipment, supplies, and other incidentals, as well as transportation, shipping, and installation of the Work. As an independent contractor, you will be responsible for all federal, state, and local taxes payable in connection with the services you render pursuant to this letter of agreement.

2) The City of Clayton:

- a) May require that you make such revisions to the design as are necessary for the work to comply with applicable statutes or regulations governing the site. Said revisions, if required, shall be made at no additional cost to the City of Clayton. The City of Clayton and/or the Clayton Art Commission will provide information regarding these statutes and regulations.
- b) Maintains rights of revision as the design progresses prior to final installation. Upon installation, the City of Clayton will take ownership of the work and will maintain it on the said site.
- c) Will provide the administrative support for the successful completion of the project.
- d) Shall take responsibility for the final installation of the work.
- e) Shall pay you a fixed stipend of \$7,000, which shall constitute full compensation for all services and materials to be performed and furnished by you under this agreement. The payment is contingent upon your timely submittal of a completed request for payment/invoice form.

The fee shall be paid in the following installments:

- i) \$ ~ one-third upon signing this agreement
- ii) \$ ~ one-third upon the start of installation on site
- iii) \sim one-third upon completion of the installation on site and acceptance by the City of Clayton.

If the work is not completed and installed in accordance with this agreement, all funds will be returned to the City.

- f) Reserves the right to terminate this agreement if the Work is not completed in accord with this agreement.
- g) If after receipt by the City, any permanent alteration occurs affecting the integrity of the piece, whether intentional or accidental and whether done by the City or others, the City will attempt to notify the artist. Upon notification, the artist may make a written request to the City to stop representing the Work as theirs, if they so chose.
- h) The City agrees to see that the Work is properly maintained.

Artist

i) Will return all originals of studies, drawings, designs, maquettes, and models to you upon final acceptance of the artwork.

This letter of agreement constitutes the entire agreement between the parties. No modification, amendment, or waiver of any of the provisions of the letter of agreement will be effective unless in writing and signed by the parties. If the foregoing is acceptable to you, please sign this letter in the space provided below and return it to me by date.

I look forward to seeing your work as part of the City of Clayton's Public Art program.
Sincerely,
Acknowledged and agreed this day of, 2002.

Social Security Number

APPENDIX C

MAINTENANCE WORKSHEET

ARTIST MAINTENANCE RECOMMENDATIONS 1

Non-specialists generally undertake routine maintenance for the City of Clayton. The following form is intended as a guide for supplying the City of Clayton with the necessary information to insure the best maintenance and preservation of your work. Please use additional pages as needed and attach relevant technical drawings, as-builts and other

documentation. You are encouraged to consult with the Clayton Art Commission and with a professional conservator in supplying this information.

General Information	
Artist(s):	
Address	
City, State, Zip	
Phone	
Fax	
Title of Artwork	
Date of Completion	
Project Location	
Contracts	
Copies of the contract between the City of Clayton and the Artist are on file in with the Clayton Art Commission. Please attach of copy of any additional contracts and warranties between the Artist and any subcontractors including engineers, fabricators, supplied and installers.	
Artwork Description	
Please provide the exact fabrication materials and methods.	
Primary medium:	
Secondary medium(s):	
Materials, finishes and/or colors:	
When supplying this information, please provide the exact names of products used, including trade and common names, vendor name and address, product lot number, exact formula, etc. Please provide color samples.	

¹Adapted from: Public Art Master Plan of the Public Art Process, Mayor's Commission on Art, Culture and Film, City and County of Denver, spring 1996.

Size		
Exact Dimensions	Height	
	Width	
	Depth	
	Weight (if	applicable)
Frame or Base H	H D	
If a security hanger required for such re	r is used for mounting framed work, please provide the examemoval.	ct type and method of removal, including any tool
Briefly describe how	w the work was fabricated and installed on-site.	
•	ast at a foundry or fabricated by a professional metal shop, he name of a contact.	please indicate the name and address of the foundry/
Please provide preciglued joints).	rise drawings of mechanical connections (e.g., bolts or down	els and non-mechanical connections such as welds or
Site		
	surrounding landscape an integral part of the work? Would were relocated to another site?	d the intended character and integrity of the work be
Artist's Intent		
Do you intend your	r artwork to age and/or deteriorate through time? If so, ho	w?

Maintenance Requirements and Instructions

Please indicate what maintenance procedures are required for this work including but not limited to lubrication of moving parts, reapplication of surface coatings, dusting, washing, washing, and/or regular component rotation or replacement (such as light bulbs).

Maintenance Schedule

Please indicate the schedule for routine maintenance and what type of maintenance is required on a daily, weekly, monthly, bimonthly, and annual basis.

Estimated Costs

What is the estimated cost, on an annual basis, of the routine maintenance recommended for your work?

Archive

Please indicate the location of surplus materials (e.g., paint, patina samples, tiles), replacement parts, and/or additional components.

Please provide a copy of the installation drawings and as-builts for the project to be kept on file with the Clayton Art Commission.

Repairs and Restoration

If practical, the Artist, during the Artist's lifetime, shall be given the opportunity to make or personally supervise significant repairs or restorations and shall be paid a reasonable fee for any such services, provided that the City and the Artist agree in writing, prior to the commencement of any significant repairs or restorations, upon the Artist's fee for such services. All repairs and restorations shall be made in accordance with recognized principles of conservation.

Organization	Name	Title	Address/Phone	Guidelines	Deadline/Comments
CORPORATE					
A.G. Edwards & Sons, Inc	Laura Waidmann	Associate Vice President	One North Jefferson St. Louis, MO 63103 314-955-3000	Letter	
Ameren Corporation	Susan Bell		1901 Choteau St. Louis, MO 63103 314-554-2789	Letter	None
Anheuser-Busch	Jo Beth Brown		One Busch Place St. Louis, MO 63118 314-577-2000	Application	
Bank of America	Katie Fisher		800 Market St. Louis, MO 63101 314-466-6000	Application	www.bankofamerica.com
Boeing	Antoinette Bailey		P.O. Box 516 St. Louis, MO 63166 314-232-0232	Letter	March
Brown Group Foundation	Mary Siverts		8300 Maryland Ave Clayton, MO 63105 314-854-4000	Letter	None
Commerce Bancshares (Norman J. Stupp Foundation)	Ann Sullins		8000 Forsyth St. Louis, MO 63105 314-746-8577	Letter	
Des Lee Foundation	E. Desmond Lee		20 S. Central Clayton, MO 63105 314-862-6008		
Sara Lee	Robert Beracha		8400 Maryland Ave Clayton, MO 63105 314-259-7000	Letter	
Edison Brothers Stores	Lawrence Honig		501 Broadway St. Louis, MO 63102 314-331-6000	Letter	None
Edward Jones	John Bachmann		1255 Manchester St. Louis, MO 63131 314-515-2000	Letter	None

Organization	Name	Title	Address/Phone	Guidelines	Deadline/Comments
Emerson	Mark Botterman	Corporate Director, Community Programs	8000 West Florissant St.Louis, MO 63136 314-553-2000		
Enterprise Rent-A-Car Foundation	Jo Ann Kindle		600 Corporate Park Dr. Clayton, MO 63105 314-512-5000	Letter	January, May/ Chris Bertorelli on Advisory Council
First Bank	James Dierberg		135 N. Meramec Avenue Clayton, MO 63105 314-854-4600		Allen Blake, Pres. And COO
Furniture Brands International	Robert Hensley		101 South Hanley Clayton, MO 63105 314-863-1100	Letter	None
Laclede Gas Charitable Trust	Mary Kullman		720 Olive Street St. Louis, MO 63101 314-421-1979	Send proposal	December, March, June, September www.lacledegas.com/ about/cs_charitable.htm
Maritz, Inc.	Norm Schwesig		1375 N. Highway Dr. Fenton, MO 63099 636-827-4000	Application	
Monsanto Fund	Deborah Paterson		800 North Lindberg St. Louis, MO 63167 314-694-1000	Letter	None
Schnucks	Nancy Diemer		11420 Lackland St. Louis, MO 63146 314-994-9900	Letter	
Solon Gershman	Tom Stern		7 North Bemiston Clayton, MO 63105 314-889-0602		
SBC Southwestern Bell		External Affairs	One Bell Center, Room 4104 St. Louis, MO 63101	Application	No deadline. Application is online. Special consideration for projects that involve technology.
Stifel Nicolaus	Ron Kruszewski	President and CEO	501 North Broadway St. Louis, MO 63101 314-342-2000		

Organization	Name	Title	Address/Phone	Guidelines	Deadline/Comments
US Bank	Ed Higgins		One FirstStar Center, 14th Floor St. Louis, MO 63101 314-425-2525	No unsolicited requests	
FOUNDATION/PUBLIC					
Arts and Education Council	Jim Weidman		3526 Washington Ave St. Louis, MO 63103 314-535-3600		Fall deadline
Caleb C. and Julia W. Dula Foundation	James Mauze		112 S. Hanley Road St. Louis, MO 63105		
Fox Family Foundation	Cheri Fox		7701 Forsyth St. Louis, MO 63105 314-727-7314	Application form	37347
Gateway Foundation	Christy Fox		720 Olive, Suite 1977 St. Louis, MO 63101 314-241-3337	Letter	Quarterly
Missouri Arts Council	Noree Boyd	Executive Director	111 N. 7th Street, Ste.105 St. Louis, MO 63101 314-340-6845		
National Endowment			1100 Pennsylvania Avenue NW Washington, DC 20506 202-682-5400	Application	NEA funds specific projects and design competitions. Check website regularly. www.arts.endow.gov
Regional Arts Commission	Jill McGuire	Executive Director	3540 Washington Ave. St. Louis, MO 63103 314-652-5511		
St. Louis Community Foundation			319 N. Fourth St., Ste. 402 St. Louis, MO 63102	Application form	
Team St.Louis	Megan Noonan		One Metropolitan Square St. Louis, MO 63101		Community oriented project. Funded periodically.
Trio Foundation	Wendy Jaffe		8029 Forsyth Blvd, Suite 201 St. Louis, MO 63105		

APPENDIX D

POSSIBLE FUNDERS – cont'd

Organization	Name	Title	Address/Phone	Guidelines	Deadline/Comments
Whitaker Foundation	Christy Gray		St.Louis, MO	Proposal with summary form	Nov. 1, Feb. 1, Aug. 1
GIFTS/LOANS					
Gateway Foundation	Christy Fox		720 Olive, Suite 1977 St. Louis, MO 63101 314-241-3337	Letter	Quarterly
Laumeier	Glen Gentele	Director	12580 Rott Road St. Louis, MO 63127 314-821-1209		
St. Louis Art Museum	Brent Benjamin	Executive Director	One Fine Arts Drive St. Louis, MO 63110 314-721-0072		
Washington University	Mark	Weil	One Brookings Drive St. Louis, MO 63130		

APPENDIX E

CLAYTON'S PUBLIC ART COLLECTION

COLLABORATIVE PROJECTS

Title: "Siamesedeeropotamus"

Artist: Catharine Magel

Location: Forsyth Boulevard and Central Avenue

Date: 2000

Medium: Steel, wire mesh, foam, fiberglass, and paint

Owner: Property of the City of Clayton, Commissioned by

the Clayton Art Commission in collaboration with

the Clayton Landscape Committee

Title: "Handling a Bench"

Artist: Carol Fleming and Walter Gunn

Location: Forsyth Boulevard and Central Avenue

Date: 2000

Medium: Clay and mohogany

Size: 4' h x 8' w

Owner: Property of the City of Clayton, Commissioned by

the Clayton Art Commission in collaboration with

the Clayton Landscape Committee

Title: "Untitled"

Artist: Bill Kreplin

Location: Forsyth Boulevard and Bemiston Avenue

Date: 2000

Medium: Wood, oil paint

Owner: Property of the City of Clayton, Commissioned by

the Clayton Art Commission in collaboration with

the Clayton Landscape Committee

Title: "Dancing Chairs"

Artist: Rod Baer

Location: Clayton School District headquarters in

ShawPark

Date: 1998

Medium: Welded and painted steel

Owner: Collaboration with the Clayton Art Commission,

Arts in Transit, and the Saint Louis Art Fair

WORKS ON LOAN

Title: "#12"

Artist: Julius Schmidt

Location: Forsyth Boulevard and Central Avenue

Date: 1960

Medium: Cast iron

Owner: On loan from Washington University's Gallery of

Art

Title: "Folke Filbyter"

Artist: Carl Milles

Location: City Hall, 10 North Bemiston Avenue

Date: 1928 Medium: Bronze

Owner: On loan from the Saint Louis Art Museum

Title: "Primogenesis"

Artist: William Severson and Saunders Schultz

Location: Oak Knoll Park, Big Bend Boulevard and Clayton

Avenue

Date: 1981

Medium: Stainless steel

Size: 25' h x 25" w

Owner: Owned by the St. Louis Science Center

Title: "Five Rudders"

Artist: Alexander Calder

Location: Centennial Garden in Clayton's Shaw Park

Date: 1964; installed September 2001 Medium: Painted sheet metal and rods

Size: 126 x 98 x 112

Owner: Gift of Mrs. Mark C. Steinberg to Washington

University Gallery of Art, St. Louis. On loan to the City of Clayton and Clayton Art Commission from

the Washington University Gallery of Art.

GIFTS TO THE CITY

Title: "FM/6 Walking Jackman"

Artist: Ernest Trova

Location: Brentwood and Maryland Boulevards

Date: 1985

Medium: Stainless steel

Size: 9' 2" h x 15' w x 15' d

Owner: Gift of Richard Baird in honor of his wife Phylis

CLAYTON SCHOOL DISTRICT ARTWORKS

Title: Elizabeth

Artist: Ruth Keller Schweiss

Location: Clayton High School, #1 Mark Twain Circle

Medium: Alumnium, epoxy

Size: 17' h

Owner: Gift of Richard Baird in honor of his wife Phylis

Title: "Globe"

Artist: Lester C. Heckle, Architect

Location: Clayton High School, #1 Mark Twain Circle

Date: 1953

Medium: Marble and granite Size: 9' h x 7' w x 7' d

Owner: Owned by the City of Clayton

Title: "Greyhound Pride"

Artist: Mike Pisoni

Location: Clayton High School, #1 Mark Twain Circle

Date: 2000

Medium: Cold cast alumnium, polyester resin mixed with

alumnium dust, acrylic coating

Size: 8' h x 28' w

Owner: Commissioned by Clayton High School PTO for

Principal Don Hugo's retirement

PRIVATELY OWNED ARTWORKS THAT ARE **PUBLICLY ACCESSIBLE**

Title: "Earthmover I" Artist: Don Horstman

Location: Bemiston Avenue and Carondolet Boulevard

Medium: recycled industrial scrap Size: 52" h x 52" w x 130" d

Owner: Leased from the artist to Mark Mehlman Realty

Title: "Les Danseuses"

Artist: William Severson and Saunders Schultz

Location: Mercantile Centre Plaza, 8000 Maryland Boulevard

Date: 1983

Medium: Stainless steel

Size: 18" h

8000 Maryland LLC, Principal Capital Land Owner:

Management

Title: "Martin Luther" Artist: Ernest Rietschel

Location: Concordia Seminary, 801 DeMun Avenue

Date: 1903 Medium: Bronze Size: 11'6" h

Owner: Concordia Seminary

Title: "New Heights" Artist: Jane DeDecker

Location: Forsyth and Brentwood Boulevards

Date: 2000 Medium: Bronze Size: 17' h

Owner: Riggs and Co., a division of Riggs Bank NA, as

trustee of the Multi-employer Property Trust

Title: "Saint de LaSalle"
Artist: Kaletta Studio

Location: Christian Brothers College High School, 6501

Clayton Road

Date: 1934 Medium: Concrete

Owner: Christian Brothers College High School

Title: "Shoe of Shoes"

Artist: Victoria Fuller

Location: Brown Shoe Company, 8300 Maryland Boulevard

Date: 1999

Medium: Aluminum

Size: 10' h x 18' w x 6' d

Owner: Leased from the artist by the Brown Shoe Company

Title: "Space Search"
Artist: Don Horstman

Location: 130 S. Bemiston Avenue Medium: Recycled industrial scrap Size: 71" h x 52" w x 45" d

Owner: Leased from the artist by Insignia ESG Inc.

Title: "Still Point"

Artist: Ruth Keller Schweiss

Location: Ritz Carlton Hotel, 100 Carondelet Plaza

Date: 1990 Medium: Bronze Size: 12' h

Owner: Clayton Land Company

Title: "Tango"

Artist: Don Horstman

Location: 130 S. Bemiston Avenue Medium: Recycled industrial scrap Size: 67" h x 40" w x 32" d

Owner: Leased from the artist by Insignia ESG Inc.

Title: "Windmill"

Artist: Edward Hebdricks

Location: Bonhomme and Hanley Roads

Date: 1989

Medium: Stainless steel

Owner: Gateway Frontier Properties

APPENDIX F 2002 ACTION PLAN

Administrative Plan Action Items

Objective: Develop Public Art Information Materials for Private Developers

Task	Start Date	Responsible Party	Due Date	3	Comments
Hire writer	10/02	CAC	10/02		
Hire graphic designer	10/02	CAC	10/02		
Draft copy and collect images	10/02	Writer	11/02		
Copy reviewed and approved	12/02	CAC	12/02		
Design brochure	1/03	Graphic designer	2/03		
Design reviewed and approved	2/03	CAC	2/03		
Get bids from printers	2/03	Graphic designer	2/03		
Print materials	3/03	Printer	3/03		

Objective: Secure Funding for 2002 Projects and Programs

Task	Start Date	Responsible Party	Due Date	3	Comments
Fundraising committee meeting	3/02	Fund committee	3/02	3	
Submit requests to RAC	3/02	Via/Judy K./Joan/Jane	3/02	3	
Fundraising committee makes initial calls to potential funders	3/02	Fund committee with support from Via	5/02	3	
Submit annual request to City for FY02	5/02	CAC/Judy K.	5/02	3	
Submit Gateway Foundation proposal for Center of Clayton	4/02	Via/Joan	5/02	3	
Submit proposal to A&E Council	9/02	Via/Jane	10/02		
Submit proposal to Missouri Arts Council for consortium		Via/Jane			

APPENDIX F 2002 ACTION PLAN – cont'd

Objective: Update Action Plan for 2003

Task	Start Date	Responsible Party	Due Date	3	Comments
Meet with City staff, including the Director of Public Works and the Director of Parks and Recreation, to get updated information regarding already identified projects and to identify potential new projects	9/02	MAP committee	10/02		
Meet with project partners to determine the direction for the coming year's projects	10/02	MAP committee	11/02		
Review list of sites and projects to see if site conditions have changed	11/02	MAP committee	12/02		
Present draft action plan to fundraising committee to develop fundraising strategy	1/03	Fundraising committee	2/03		
Present action plan to	3/03	CAC	3/03		

APPENDIX F 2002 ACTION PLAN – cont'd

Community Education Plan Action Items

Objective: Work With Public Art Consortium to Develop Curriculum Kit

Task	Start Date	Responsible Party	Due Date	3	Comments
Choose curriculum design and writing team, content, and pieces of art to be used; find a place such as the St. Louis Art Museum or the Public Library to house and to distribute the kits	8/02	Consortium/CAC	7/02		
Write and design curriculum, photograph any images needed	9/02	Writer	10/02		
Choose graphic designer, complete graphic design	11/02	Consortium/ graphic designer	12/02		
Get printing bids	12/02	Graphic designer	12/02		
Print and put kits together	1/03	Printer	1/03		
Locate kits in distribution center, plan teacher workshop	2/03	Consortium	2/03		
Conduct teacher workshop for slide and activity kit for local teachers and educators	3/03	Consortium	3/03		
Public art slide and activity kit available for use to local educators	4/03		6/03		

Objective: Enhance Web Site

Task	Start Date	Responsible Party	Due Date	3	Comments
Draft Web text and collect images	6/02	CAC	7/02		
Check with City regarding Web site requirements	6/02	Judy K.	7/02		
Design site and put up on City server	8/02	Michael Zollman	9/02		
Publicize site	9/02	CAC			